

804 KAR 2:005. Outside signs.

RELATES TO: KRS 244.130, 244.590,
STATUTORY AUTHORITY: KRS 241.060

NECESSITY, FUNCTION, AND CONFORMITY: KRS 244.130 permits the ABC Board to establish administrative regulations for advertising of alcoholic beverages. KRS 244.590 permits the ABC Board to regulate gifts or services provided by brewers and distributors to retail licensees. The 1984 Session of the General Assembly repealed KRS 244.140 and 244.530, thereby permitting brand name advertising of alcoholic beverages visible outside licensed premises. This administrative regulation governs outside signs provided by malt beverage brewers and distributors to retail licensees.

Section 1. (1) Illuminated and like signs, posters, placards, decorations, or graphic displays, which bear a trademark, trade name, trade slogan or facsimile of a product, container, or display, associated with a particular brand, are permitted upon the outside of the licensed premises.

(2) Such outside signs as described in subsection (1) of this section may be given, rented, loaned, or sold to a retailer by an industry member engaged in the business as a brewer or distributor of malt beverages if they have no value to the retailer except as advertising. Provided, that the industry member shall not directly or indirectly pay or credit the retailer for displaying such materials or for the expense incidental to their operation. (ABC 11:21; 1 Ky.R. 632; eff. 4-9-1975; 10 Ky.R. 67; eff. 8-7-1984; Crt eff. 3-26-2019.)